(1)

C.F.100/-

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IN THE HIGH COURT OF JUDICATURE AT BILASPUR(CHHATTISGARH)

WRIT PETITION NO.3252/2005

PETITIONER: Sri Mahamaya Devi Co-Operative Housing Society Through: The President Vinay Nampalliwar S/o A.R. Nampalliwar,Aged about 40 years, R/o Chhota Para, Raipur C.G.

3/25/05 S.C.Verma 6/7/05 P. dated

VERSUS

RESPONDENTS :

1) The state of Chhattisgarh Through the secretary housing and environment, D.K.S. Bhawan, Raipur C.G
2) The Director town and country planing, Raipur, C.G.
3) The deputy director housing and environment, Raipur, C.G.

RECEIVED COPY 6.7.05 CLERK to A. G. BILASPUR

PETITION UNDER ARTICLE 226 & 227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF APPROPRIATE WRITS, DIRECTIONS AND/OR ORDERS DETAILS OF THE PETITION

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

21
22

आदेश पत्रक

मामला क्रमांक W.P.NO. 3.252 **सन्** 05 **200**

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

25-7-2005

Shri S.C. Verma, counsel for the petitioner.

Shri Yashwant Singh Thakur, Govt. Advocate for the State/ respondents.

Heard both the counsel.

The petitioner has preferred this writ petition under Article 226/227 of the Constitution of India. The main grievance of the petitioner is that the petitioner is a registered society and engaged in housing activities. The petitioner society was allotted piece of land on 28-12-2001 bearing Khasra No.360/1, area 89,298 sq. ft. situated at Telibandha, Raipur and physical possession of the same was given to the petitioner. Thereafter, the petitioner constructed the houses on that land and given possession to the members also. However, respondent No.3 ordered to hand over 15% of the land to the weaker section and advance possession was also taken by respondents. After taking over the possession of 15% of the land by respondents, amendment has been incorporated in the scheme wherein it has been provided that if the builder/colonizer is ready to take back the same land, in that case he is bound to pay a premium of the same land at the rate prescribed.

Further case of the petitioner is that after the said amendment, the petitioner made representations to the respondents that he is ready to pay the prescribed rates and 15% of land

(पीछे देखिए)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

22
23

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित —2—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

which was taken from him be handed over to him but the respondents are not deciding the representation.

Learned counsel for the petitioner submitted that respondent No.1 be directed to decide the representation made by the petitioner to which learned counsel for respondents has no objection.

Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, respondent No.1 is directed to decide the representation made by the petitioner within a period of 2 months in an objective manner after considering all the points raised by the petitioner in accordance with law.

With the direction aforesaid, the petition stands disposed of.

In view of this order, M.(W.)P. No.2776/2005 also stands disposed of.

Parties are entitled for certified copy of this order.

Sd/-
L.C. Bhadoo
Judge

Barve

(पीछे देखिये)